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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,645	07/11/2003	Arnoldo Rolon	584-30865 US	4157
7590	07/13/2004			
Darryl M. Springs Baker Atlas Division of Baker Hughes Incorporated P.O. Box 1407 Houston, TX 77251				
			EXAMINER RUTLEDGE, DELLA J	
			ART UNIT 2851	PAPER NUMBER
DATE MAILED: 07/13/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/617,645

Applicant(s)

ROLON ET AL.

Examiner

D. Rutledge

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32 is/are allowed.
- 6) ☒ Claim(s) 1,2,6-8,11-14,16,17,23,26,27 and 29-31 is/are rejected.
- 7) ☒ Claim(s) 3-5,9,10,15,18-22,24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 06/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Preliminary Amendment***

1. The Preliminary Amendment filed 26 May 2004 has been "Entered".

### ***Drawings***

2. The drawings filed on 08 December 2003 are objected to because Fig. 7 contains a unlabeled boxes. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 6 – 8, 11 – 14, 16, 17, 26, 27, 29 – 30 are rejected under 35

U.S.C. 102(b) as being anticipated by Fuji et al. (US 5,905,520).

Fuji et al. have a paper handler (3) in combination with a printer(2) comprising a paper inlet and outlet as paper exits the paper handler to the inlet of the printer (2), see Fig.

10. The paper handler (3) and the printer (2) each have a controller (330, 200, respectively) such that the devices may communicate with each other. The controller (200) of the printer (2) controls the paper handler (3) cutting operation and the paper handler (3) notifies the printer (2) of the state of the paper, see at least col. 26, lines 1-

67. Col. 18, lines 41-43 states that various printers may be used for the printer, therefore, off the shelf printers may be used and modified to use the paper handler.

The paper has a drag system in the form of the buffer (31) and the roller (34) to maintain tension on the paper, see Fig. 3 and col. 20, line 45-59. Marks are made on the top of the paper after cutting and these marks may be sensed.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fuji et al. (US 5,905,520).

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Fuji et al. do not disclose a jam detection system, such a function is commonly found in printers that is the system is not inherent, one of ordinary skill in the art would be motivated in install such as system to notify the operator of a printer error and help minimize down time.

***Allowable Subject Matter***

7. Claims 3 – 5, 9, 10, 15, 18 – 22, 24, 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claim 32 is allowed.

9. The following is a statement of reasons for the indication of allowable subject matter: the prior art does put marks on the paper, but does not at least sense the mark and take the action as claimed, nor does the prior art feed the paper to the inlet of the printer, sense the paper at the inlet and take the act claimed.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references cite paper handlers having one or more functions related to the disclosure.


***Response Data***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. Rutledge whose telephone number is (571) 272-2127. The examiner can normally be reached on Mon - Thurs, 6:00 AM - 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
D. Rutledge  
Primary Examiner  
Art Unit 2851

dr  
7/12/2004